IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

HON'BLE Mr. JUSTICE R. SUBHASH REDDY

Writ Petition No.3498 of 2003

FRIDAY, THE TWENTY SECOND DAY OF JUNE TWO THOUSAND AND SEVEN

Between:

B. Nagendra Prasad, S/o. Late B. Venkata Ratnam, aged 43 years, Kotha Vanthena, Vijayawada, Krishna District, and another.

… Petitioners

And

A.P. Electronic Development Corporation, A State Government Undertaking, rep. by its Managnig Director, having its registered office at Parishrama Bhavan, Basheerbagh, Hyderabad, And others.

… Respondents

Order:

This Writ Petition has been filed seeking Mandamus to declare the action of the respondents in trying to usurp the land of the petitioners admeasuring Ac.8.40 cents in S.No.16, Kesaripalle

village as illegal and arbitrary.

2. Petitioners claim to be the owners and possessors of Ac.3.36 cents and Ac.5.40 cents of land respectively in the aforesaid village having succeeded to the same from their grandfather and husband respectively. Their case is that earlier, though there was a move to acquire the land in question for the purpose of establishment of Electronic Industrial Estate, later land acquisition proceedings could not be completed and the land was not notified under the provisions of the Land Acquisition Act, 1894. Their grievance is that in spite of the same, respondents are taking steps to evict them from the land in question.

3. Even though the Writ Petition is of the year 2003, no counter affidavit has been filed and there is also no representation on behalf of the respondents.

4. As much it is the case of the petitioners that they have been in longstanding possession of the land in question and respondents are taking steps to evict them without issuing any notice, and also in the absence of any counter affidavit controverting the allegations of the petitioners, I dispose of the Writ Petition directing the respondents not to evict the petitioners from the land in question without following due process of law. No order as to costs.

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JUSTICE R. SUBHASH REDDY.

June 21, 2007
MRR